

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TEVA PHARMACEUTICALS USA, INC.,)
TEVA PHARMACEUTICAL INDUSTRIES LTD.,)
and NOVOPHARM, LTD.,)

Counterclaim Plaintiffs,)

v.)

ABBOTT LABORATORIES,)
FOURNIER INDUSTRIE ET SANTÉ, and)
LABORATOIRES FOURNIER S.A.,)

Counterclaim Defendants.)

C.A. No. 02-1512 (***)

CONSOLIDATED

IMPAX LABORATORIES, INC.,)

Counterclaim Plaintiffs,)

v.)

ABBOTT LABORATORIES,)
FOURNIER INDUSTRIE ET SANTÉ, and)
LABORATOIRES FOURNIER S.A.,)

Counterclaim Defendants.)

C.A. No. 03-120 (***)

CONSOLIDATED

IN RE TRICOR DIRECT PURCHASER)
ANTITRUST LITIGATION)

C.A. No. 05-340 (***)

THIS DOCUMENT RELATES TO:)
ALL ACTIONS)

CONSOLIDATED

IN RE TRICOR INDIRECT PURCHASER)
ANTITRUST LITIGATION)

C.A. No. 05-360 (***)

THIS DOCUMENT RELATES TO:)
ALL ACTIONS)

CONSOLIDATED

STIPULATION AND PROPOSED ORDER RE SCHEDULE

IT IS HEREBY STIPULATED by the Plaintiffs and the Defendants, subject to the approval of the Court, that the following modification to the schedule (*see, e.g.*, D.I. 552, D.I. 521 and D.I. 540 in C.A. No. 02-1512) will apply:

1. Depositions of the experts shall be completed by February 29, 2008. There shall be only one deposition for each report filed by each expert. All plaintiffs shall take a single deposition of each Abbott and Fournier expert, per each report filed by such expert. The deposition of an expert is not limited to one day of seven hours; the parties shall negotiate in good faith to establish time limits for individual expert depositions.

2. To the extent any objection to expert testimony is made pursuant to the principles announced in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), it shall be made by motion no later than April 4, 2008. Answering briefs shall be served on or before May 2, 2008. Any party wishing to file a reply brief in support of a *Daubert* motion may ask the Court at the time of briefing for permission to file a reply brief. Absent such permission, reply briefs shall not be filed in support of a *Daubert* motion.

3. All case dispositive motions, and an opening brief, and affidavits, if any, in support of the motion shall be served and filed on or before April 18, 2008. Answering briefs shall be served and filed by May 27, 2008 and reply briefs shall be served and filed by June 27, 2008.

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SO ORDERED this _____ day of _____, 2007.

UNITED STATES MAGISTRATE JUDGE

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